

JOHN RIDENBAUGH, ALIAS HENRY RIDENBAUGH.

JUNE 10, 1910.—Ordered to be printed.

Mr. WARREN, from the Committee on Military Affairs, submitted the following

REPORT.

[To accompany H. R. 25414.]

The Committee on Military Affairs, to which was referred the bill (H. R. 25414) for the relief of John Ridenbaugh, alias Henry Ridenbaugh, reports the same to the Senate favorably and without amendment, and recommends its passage.

It is shown by the records that this soldier served in Company D, Seventy-seventh Pennsylvania Infantry Volunteers, from January 1, 1862, to June 24, 1862, when he was discharged for disability, and that he reenlisted in Battery E, Fifth United States Artillery, on September 22, 1863, and served faithfully until July 25, 1865. Your committee believes, in view of his long and faithful service, that he should be given a pensionable status.

The report of the War Department, showing the soldier's record, is made a part of this report.

Case of John, alias Henry, Ridenbaugh, late of Battery E, Fifth United States Artillery.

It is shown by the records that Henry Ridenbaugh was enrolled January 1, 1862, and mustered into service on the same day as a private in Company D, Seventy-seventh Pennsylvania Infantry Volunteers, to serve three years, and that he was honorably discharged the service June 24, 1862, at Florence, Ala., by reason of disability.

The records further show that he was enlisted September 22, 1863, at Chambersburg, Pa., in Battery E, Fifth Artillery, to serve five years; that he was present with his battery until July 25, 1865, when he deserted near Washington, D. C. He never rejoined his command or reported his whereabouts or the cause of his absence to the military authorities, although he owed service until September 21, 1868.

The medical records show that this soldier was under treatment in different hospitals at various dates between January 21, 1862, and July 25, 1865, for measles, dislocation, and sprain.

Applying for removal of the charge of desertion from his record, John Ridenbaugh testified, October 7, 1890, as follows:

"That he enrolled in Company D, Seventy-seventh Pennsylvania Infantry Volunteers, on or about January, 1862, and was discharged from hospital at Corinth,

Miss., June, 1862, for disability. He then enlisted in Battery E, Fifth U. S. Light Artillery, on or about September or the 1st of October, 1862, serving with that command until June, 1865, when he left his command and went home without leave and never returned. He asks that he be mustered out and a certificate of discharge granted to him. He claims to have fired the last gun at General Lee's forces at Appamattox, Va. On or about February, A. D. 1866, at Brooklyn Navy-Yard, N. Y., he enrolled on the U. S. S. *Augusta and Shawmut* under the name of John Ridenbaugh and was discharged on or about July 8, 1868. He makes this declaration for the purpose of obtaining certificate of discharge from each service and correction of muster and removal of charge of desertion from Company E, Fifth Regiment U. S. Light Artillery. Stating his proper name to be John Henry Ridenbaugh, in land service he enrolled under name of Henry Ridenbaugh, while in naval service he enrolled under name of John Ridenbaugh. He further states that he has lost certificate of discharge from first enrollment in Company D, Seventy-seventh Pennsylvania Infantry Volunteers; also from naval service."

In an affidavit executed July 5, 1892, Henry Ridenbaugh declared as follows:

"That he is the identical Henry Ridenbaugh who was a private in Company D in the Seventy-seventh Regiment of Pennsylvania Infantry; that he served faithfully until on or about the 16th day of June, 1862, when he was discharged for disability.

"That he reenlisted September 22, 1863, in Company E, Fifth U. S. Artillery, and served faithfully until on or about the 25th of July, 1865, when without any intention of deserting he left the regiment under the following circumstances: 'Because the war was over, and I wanted to enter the navy, which I did do as soon as opportunity permitted.'

"That he reenlisted in United States Navy on the *Augusta* on March 29, 1866, and was discharged July 8, 1868. That in this enlistment he assumed and served under the name of John Ridenbaugh."

The name John Ridenbaugh has not been found on the rolls on file in this office of any company of the Seventy-seventh Pennsylvania Infantry, or of Battery E, Fifth U. S. Artillery.

The application for removal of the charge of desertion and for an honorable discharge in case of this soldier as of Battery E, Fifth Artillery, has been repeatedly denied, and now stands denied, on the ground that he did not return to his command before the expiration of his term of enlistment, and was not prevented from doing so by disability incurred in the line of duty, and that the period of his absence from the service between the date of his desertion from the Fifth U. S. Artillery and the date of his alleged enlistment in the United States Navy exceeded four months, and because the case does not come within any of the other provisions of the act of Congress approved March 2, 1889, which is the only law now in force governing the subject of removal of charges of desertion.

Respectfully submitted.

F. C. AINSWORTH,
The Military Secretary.

WAR DEPARTMENT,
THE MILITARY SECRETARY'S OFFICE,
March 9, 1906.

The SECRETARY OF WAR.

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